

STRIKE CONSIDERED AS OVER

MAYOR AND EDWARDS PROCEED TO CONSTRUCTIVE TASKS.

2,400 Deserting Street Cleaners Will Be Formally Tried and Fined 200 May Get Back Full Force of New Men, Which Will Be Made Permanent.

The strike of the drivers of the Street Cleaning Department has fizzled out. Commissioner Edwards has more than enough hired strike breakers and civil service recruits are pouring in. The department having made steady progress in Brooklyn got under full headway in Manhattan and The Bronx yesterday. The police, supported by the Magistrates, have repressed disorder vigorously and broken down the barricades. By next Wednesday night Commissioner Edwards expects to have the accumulation of rubbish, garbage and ashes cleared away. Thousands of the strike leaders to bring about a general strike of teamsters did not materialize.

Mayor Gaynor, whose positive stand against insubordinate civil service employees definitely assisted the street cleaning and the police departments, had occasion yesterday to speak frankly to a few Aldermen who wanted him to consent to arbitration. The Mayor was polite but immovable. He said:

"I am very glad to receive a committee from the Board of Aldermen about this matter. But the case is just this: The drivers in the Street Cleaning Department threw up their jobs and quit. They did it after I told them that if they quit they would lose their places. When they quit, they had nothing to do. We could do nothing, but employ men to take their places."

"We went to the Civil Service Commission and got all of the eligible lists and appointed men therefrom according to law to fill the vacancies. The vacancies are now filled to-day. We have got more men now than we had before the strike. And to my surprise some people are now writing to me and asking me to discharge the men that we have appointed from the civil service list and for kindness sake take back the men who threw up their jobs."

"In the first place I wouldn't do it if I could, and in the next place it happens that I cannot do it. Those who have been taken on from the civil service list to fill the deserted places cannot be discharged except according to law, which you know as well as I do, that is to say they have to be brought up and charged with something wrong and given an opportunity to explain and then be found guilty and discharged. The men that we have taken on have been guilty of nothing. On the contrary, they have served the city. And the men who are out are out. I know of no way by which I could take them back if I wanted to, and I am very certain that I do not want to. Now that is the whole case and I will not add a word to it."

The Aldermen, having performed an official duty, hustled back upstairs and reported nothing doing.

Just one more comment the Mayor added to his summary of conditions. He replied by letter to a lawyer named Willard G. Stanton, who mentioned National Guard protection of something of the sort. "Your letter," said the Mayor, "is in error in some particulars. The men who quit work in the Street Cleaning Department are not two-thirds non-citizens, as you state. On the contrary, they are all citizens either by birth or naturalization. So your advice to deport them has no foundation. Nor do I intend to call out the military. This is not a government of military force. We call out the military only in case of dire necessity, that is to say when the regular civil authorities are unable to put down tumult. Do you not understand that? I do not like to have people write me to call out the militia and shoot people down. A Mayor of New York would have to forget himself to do a thing like that except in the case of extreme emergency. I hope the time is far distant when it will be necessary to call out troops to shoot any one down. Ours is a government of law, and the military power has to keep its hands off until the regular agencies of civil government are unable to preserve order."

Now that the strike is at an end so far as the activities of the Street Cleaning Department is concerned Commissioner Edwards issued himself yesterday planning for a reorganization of the department and the legal dismissal of 2,400 strikers, drivers and helpers. It will take about two months to build the department up to standard efficiency. Civil service recruits will get the preference, but strike breakers who are willing to quit adding to the country in search of adventure and steady down to an \$80 a year job with a pension at the end of it will have a chance to get civil service protection.

No more strike breakers will be imported. The order went out against that yesterday afternoon. From now on as rapidly as possible the Commissioner will equip all stables with civil service recruits, keeping strike breakers of course until they have a full complement of civil service drivers. Out of 2,400 strikers less than 200 have a chance to get their jobs back, and these are men who stayed at work until they were driven away.

In Manhattan yesterday Commissioner Edwards had 1,918 men at work on 608 carts. In Brooklyn there were 1,666 men and 267 carts at work and the steady progress of the last few days was maintained. Considerable work was done in The Bronx toward reducing a six day accumulation. There were 29 men and 14 carts on the job. Altogether in the three boroughs Edwards had 3,283 men and 1,349 carts busy. A total of 4,073 loads of rubbish, ashes and garbage were sent to the dumps, a little less than half of the normal cleaning. The work in the three boroughs represented a big gain over Monday. Today there will be more men and more carts.

"I don't want to be too optimistic," said Commissioner Edwards at the night. "But I believe that by next Wednesday night there will be no traces left of strike conditions. The town will be cleaned."

Notices have been sent to all of the factors to appear for trial before the

YUAN IGNORES PRINCE REGENT

PRINCE AND DOWAGER WEEP HUMBLER BEFORE HIM.

Tells the Empress He'll Try to Save the Dynasty. Revolt in Mukden in Manchuria. Enemy of Yuan Shot at Tientsin. U. S. Troops Ready to Sail.

Special Cable Despatches to THE SUN.
LONDON, Nov. 14.—A despatch from Peking ascribes to one of the Court Chamberlains an account of the dramatic and pathetic audience which Yuan Shih Kai has had with the Prince Regent and the Dowager Empress. Both of the latter are said to have been in tears and to have begged the man who was dismissed ignominiously less than three years ago to accept the Premiership and save the country from dissolution.

Yuan is described as being in complete command of the situation but noncommittal. He said that he could not decide until after a consultation with the National Assembly, as the people, not the throne, were now sovereign. Yuan ignored the Prince Regent, but promised the Dowager Empress to try to save the dynasty.

Yuan's attitude toward the Prince Regent is interpreted as displaying an intention to supplant the Manchurian Regent with a Chinese Regent.

A despatch from Tientsin says that Chang Shao Tang has been shot in the wrist. The shooting is ascribed to agents of Yuan Shih Kai, of whom Chang recently spoke slightly. It is reported that he abandoned the Lan-chow army incognito.

There is heavy firing at Tientsin.

A despatch from Shanghai says that the British authorities, whose enforcement of the neutrality of the Shanghai and Nankin Railroad has hitherto prevented the revolutionists from going to Nankin to protect the people against

Manchu outrages, have now recognized the necessity upon humanitarian grounds of facilitating the movement of the rebel troops. Consequently they have suspended neutrality to the extent of allowing the soldiers to entrain at the next station beyond Shanghai upon the payment of ordinary fares.

PERKIN, Nov. 14.—The National Assembly seems to have gained courage with the arrival of Yuan Shih Kai and his provincial managers, however, are not present, having gone to the provinces to attempt conciliation.

It is rumored that the National Assembly and Yuan are arranging together for a new provisional government and a new Regency Council. After the imperial audience to-day Yuan conferred with the President and Vice-President of the Cabinet, which is still nominally in power. Yuan has received special despatches from Hankow, but their import is not known.

It is reported that fighting continues at Hankow, the revolutionists winning additional victories. Hu-nanese troops are said to be continually joining the rebels.

An edict issued to-day orders Yuan Shih Kai to take up the Premiership. Another edict directs the provincial Governors and Governors to choose influential representatives to come to Peking to confer upon the situation. The throne will donate one tael (about 50 cents) to every soldier and policeman in Peking, presumably to induce them to remain loyal.

TIENTSIN, Nov. 14.—Mukden, in Manchuria, has proclaimed itself independent of the Peking Government. A provincial autonomous government has been formed under charge of a Viceroy. This was accomplished without any disturbances.

The new Viceroy made a speech in which he advocated the eradication of foreign interference and the racial prejudice between the Chinese and Manchus.

The proposal that American troops be brought from Manila to Tientsin and Peking has excited a great deal of comment. The proposal is not viewed in a particularly friendly light.

ST. PETERSBURG, Nov. 14.—Manchuria has declared itself autonomous at Mukden, Kirin and Tsitsihar and the administration has passed into the hands of deliberative committees.

Lian Tai Chao, the pioneer in the constitutional movement in China, arrived at Mukden and presided over a meeting of constitutional delegates who discussed means of ending the revolution without further bloodshed and measures for the protection of the Manchurian dynasty. It is assumed that Lian Tai Chao will eventually supplant Yuan Shih Kai as the chief man in China. He is the best known literary man among the Chinese.

LONDON, Nov. 15.—A despatch to the Times from Shanghai says that in consequence of the massacre at Nankin, there has been a three days panic at Soo-chow. Thousands are fleeing. The revolutionary government at Soo-chow is extremely short of money and the people are complaining about the enforcement of the rice tax because they expected all taxes would be remitted. The landowners are complaining of the military levies. The trouble is the outcome of injudicious haste on the part of the revolutionists in talking of abolishing taxation.

SHANGHAI, Nov. 14.—Twelve of the imperial guards who arrived at Chinkiang recently from Hankow have joined the rebels. Two others have surrendered their ammunition to them. The warships will be supplied with ammunition from the arsenal here, which fell as a prize to the revolutionaries when they took the native city of Shanghai.

The gulfers are a great addition to the rebel forces and will be used in the attack on Nankin.

Ten thousand men here are ready to go to Nankin, but only 2,000 of that number are trained.

Wu Ting-fang, who recently joined the rebels and was made Foreign Minister, is unable to get away from the possibility in which he urges them to join in the agitation for the resignation of the Regent, Prince Chun, and the stopping of bloodshed.

Wu Ting-fang says that to the Manchus will be guaranteed the full rights of citizenship in the new nation which the rebels will set up in place of the present Manchurian régime.

MANILA, Nov. 14.—The departure of the transport Sherman for San Francisco has been delayed, owing to the possible necessity for using her for the transportation of American troops from the Philippines to China. She will be held here until the arrival of another transport from America. The division officers of the army here are prepared to move 3,500 troops to China on twenty-four hours notice.

812,000 PHYSICIAN'S BILL.

Dr. C. F. Wainwright Sues the Walsh Estate for That Sum.

WASHINGTON, Nov. 14.—Dr. Charles F. Wainwright of New York filed suit in the District Supreme Court to-day to recover \$12,000 from the estate of the late Thomas F. Walsh for medical services rendered during three months preceding the death of the millionaire mining operator of Colorado and Washington. Dr. Wainwright's bill was for \$50,000, but he had received \$38,000 on account. The physician says he was called in to see Mr. Walsh on January 12, 1910, and claims his services were continuous up to April 8, 1910. Ex-United States Attorney Henry E. Davis represents Dr. Wainwright.

The American Security and Trust Company is executor of the Walsh estate. A judgment for \$27,476 was recently rendered against this company in its capacity as executor of the estate of John E. Herold, a local banker, in favor of Dr. J. J. Kanevny, Mr. Herold's physician. The company's counsel was glad to have the case decided in court on the ground that as executor it did not care to take the responsibility of settling a claim of such magnitude.

Dr. Wainwright is not the only physician who has a claim against the Walsh estate. Dr. L. F. Barker of Baltimore has filed a claim for \$11,500 for medical attention and Dr. James F. Mitchell of this city one for \$3,650. In addition Dr. C. Hansen, a New York lawyer, has filed a claim demanding an attorney's fee of \$15,825.

Mr. Walsh died on April 8, 1910. According to the declarations filed here with the office of the Register of Wills he left an estate valued at more than \$5,000 exclusive of his extensive mining interests.

MRS. MELLON WINS A POINT.

Court Gives Pittsburg Banker's Wife's Divorce Suit a Jury Trial.

PITTSBURG, Nov. 14.—Mrs. Nora McMullen Mellon, wife of the banker Andrew W. Mellon, who is being sued for divorce by her husband on charges of infidelity, will have a jury trial in spite of the efforts of her husband's attorneys to prevent it and notwithstanding the fact that the last session of the Legislature passed a law forbidding jury trials in divorce cases except on order of the court after a petition.

It was popularly supposed that the measure was introduced by John R. K. Scott of Philadelphia for the purpose of aiding Mellon in getting a divorce secretly. The matter was decided last Saturday in an opinion handed down by Judge J. Albert Evans, in which the two other members of the court, Judges John M. Kennedy and L. L. Davis, concurred. Although this opinion was filed Saturday the attorneys for Mrs. Mellon were not notified of it until yesterday afternoon.

It is considered here to be first blood for Mrs. Mellon in what promises to be the most interesting case heard since the famous Harriett Dow case.

The opinion upholds the constitutionality of the Scott law, and also upholds the argument of Mellon's attorneys that it is retroactive and applies to all cases pending instead of only to new cases filed after its approval. But the court says that under the circumstances of the case it has come to the conclusion that a jury trial should be granted. Consequently further days are allowed for the filing of an application for a jury trial under the Scott act. Thus the application for a jury trial under the old law is denied, but Mrs. Mellon may apply for trial under the provisions of the new act and is assured that her petition will be granted.

JULIUS IS GRATEFUL.

In Him Charles F. Murphy Not Only Survives, but Nobly.

The Tammany Club of Julius Harburger's district congratulated him last night on his election as Sheriff, and the Sheriff-elect commented on the talk of the retirement of Leader Charles F. Murphy as follows:

"It is a ridiculous proposition. Mr. Murphy is stronger than ever. Very few men could stand the vituperative, poisonous language which was injected into this campaign against him. He not only survives but is in every sense a noble man. He is one of our most charitable of men, big hearted, lionlike courage and a spotless character. He is a colossal figure in political life. His enemies are his enemies compared to him. He works for the good of his party. He is a real leader of men and not a boss."

HIKING IT TO YALE.

Four Princeton Students Start To-day to See Football Game.

PRINCETON, N. J., Nov. 14.—Four Princeton students will leave town to-morrow morning at 5 o'clock in an effort to walk to New Haven in time for the game with Yale on Saturday. T. F. Clarke of Philadelphia, a senior, and W. J. Logan of Brooklyn, J. F. Simons of Elizabeth, N. J., and F. C. Hall of Cambridge, Mass., juniors, compose the party and they plan to walk four miles each day, starting to-day, reaching New York to-morrow night, Stamford to-day night and New Haven Friday night or Saturday morning.

According to their agreement they will refuse all lifts and cover the entire distance on foot with the exception of the ferry from Jersey City to New York.

HAMMOND'S YACHT LABELLED.

This Time Discharged Members of the Crew Demand Wages.

JACKSONVILLE, Fla., Nov. 14.—Discharged members of the crew of James B. Hammond's gasoline yacht Lounger II, to-day filed a libel in the United States Court for wages.

Hammond is at St. Augustine with his gasoline yacht. He contemplates spending the winter in Southern waters. It is not likely that an intimation of the suit will reach him until the attachment is served to-morrow morning.

John M. Into, formerly navigator of the yacht, Erick Erickson, a waiter, and Edwin Grover, a sailor, bring the libel. They are now in this city, having been fired by Mr. Hammond on November 11 just before his departure for St. Augustine.

Mr. Hammond's yacht was built in New York by the New York Yacht, Launch and Engine Company. The contract price of the vessel was \$50,000, but the furnishings bring the total value nearer to \$100,000.

AUTO RACES, SAVANNAH.

Nov. 27-30. Round Trip from N. Y. \$29.70. Special Hotel Train, Atlantic Coast Line, P. & W. & 20th St. Phone 1400 Md. 89.—Ad.

CABINET TALK ON MESSAGE

TAFT'S ADVISERS NOT IN HARMONY ABOUT TRUSTS.

Tariff and Alaska Problem Discussed—Taft Desires Specific Violations Inserted in the Anti-Trust Law—Wool and Cotton Reports by Christmas.

WASHINGTON, Nov. 14.—For three hours this morning President Taft worked with his Cabinet over his message to Congress. Consideration was given principally to three questions which will be embodied in the message, trust legislation, the tariff and the Alaska problem. The Cabinet is not in accord on the proposed trust legislation. Some of the Cabinet officers disagree with the President and Attorney-General Wickham as to the advisability of recommending such supplemental legislation on the trust question as Mr. Taft made known he had in mind on his return to Washington.

The President will again recommend the adoption of a Federal incorporation act. In addition he will ask for legislation supplemental to existing anti-trust statutes. Mr. Taft discussed this supplementary legislation with callers to-day more fully than he has done heretofore. Its purpose will be to make it unnecessary in the prosecution of combinations to go back to the time of organization to prove a whole case of restraint of trade.

Mr. Taft desires to have written in the statute certain acts as violations of the anti-trust laws, enabling the Attorney-General to direct his case toward establishing that one fact against the corporation in order to secure a decision against the combination.

For example, the one instance of factors' agreements might be made by law an act in violation of the anti-trust law. The Attorney-General would then only have to establish the fact that a combination had made use of factors' agreement and would not be obliged, as was true in the Standard Oil case, to go back to the time of the formation of the combination to secure a decision on an act of the combination committed years later.

It is not Mr. Taft's idea to have such legislation to state what is and what is not a monopoly.

The President has not yet received the report of the Tariff Board on the wool schedule. He has been assured that he will see it in a sufficiently completed form before he writes his message to enable him to make recommendations to Congress as to the tariff revision. The report itself may be sent to Congress in a second special message. Both the wool and cotton reports, he expects, will be before Congress before their adjournment for the Christmas holidays.

The President received a reminder to-day from the lawyers of Missouri that that State has not been represented on the Supreme bench for ninety-one years. This is in the form of a recommendation for either Secretary of Commerce and Labor Nagel or Solicitor-General Lehmann, both Missourians, who are mentioned for the vacancy on the bench caused by the death of Justice Harlan. Mr. Taft will probably not make any judicial appointments before January 1. There are several vacancies in the Federal courts at the present time.

BULLET STOPS SMUGGLER.

Custom House Officer Shoots Rotterdam Officer as He Is Running Away.

Custom House Officer James J. Lynch saw three men with bundles under their arms leave the Holland-America Line pier in Hoboken last night and suspected that they were smuggling goods off the Rotterdam. In an effort to stop them from Rotterdam, he followed them a short distance to Hudson Square Park, where he held them up. The men showed fight and knocked him down.

Lynch drew his gun and the trio ran. The officer blazed away and the bullet caught one of the men in the left leg. The other men escaped. The injured man described himself as Frank Bolt, 31 years old, an officer on the Rotterdam. A lot of smuggled cigars were found in his bundle. He was sent to St. Mary's Hospital as a prisoner on a charge of smuggling.

Lynch was taken to Hoboken police headquarters, where he was booked for atrocious assault and battery. He was paroled in the custody of Chief of Police Hayes. Lynch lives at 97 Nelson avenue, Brooklyn. It is believed that Bolt's companions were shipmates or landlubber confederates.

GUARDED DUC DE CHAULENS.

Fees Exact for Feeding Off Crooks Before Shonts Heir.

Special Cable Despatch to THE SUN.
PARIS, Nov. 14.—The courts have condemned the Duke and Duchess d'Uzes to pay notary and clerk fees of 2,252 francs, or \$462.50 for expenses incurred in keeping watch over the Duc de Chaules in 1907 at the time of his marriage to Miss Shonts. The judgments are considered as justified by extra expenses for carriages, automobile and railway fare. The mission of the clerk was to keep a guard over the Duc de Chaules, who at the period of his engagement to the daughter of Theodore P. Shonts was relentlessly pursued by crooks and money lenders eager to secure his signature, which at that time was without value but would have been worth all that it called for after the marriage.

JUST A FROSTING OF SNOW.

Puff an Inch or So Makes the Wet Walks Slippery.

The rim of a storm that advanced in a northeasterly direction from the middle of the continent yesterday formed snow crystals in the frosty upper air of this neighborhood last evening. They drifted down to a gentle southerly breeze into a temperature of 34 degrees and were very moist when they struck the sidewalks and streets and vanished swiftly. Some flakes adhered to the leafless limbs of the trees and the grass plots and gave a transitory aspect of winter to the parks. Officially measured on the 414 foot observatory of the Whitehall Building, where it lasted longer than on the level, there was about four-tenths of an inch of snow up to 10 o'clock last night. This is the biggest fall of the autumn. The prophet on the job said it might snow and snow-rain intermittently until the temperature started up again. There will be no sleighing to-day.

BONDS & STOCK CERTIFICATES

Engraved and printed by Cordes, Macy & Co., Inc., 60 John Street. Established 1871.—Ad.

HENRYK SIENKIEWICZ SHOT.

Famous Novelist Wounded in Shooting Pheasants Near Warsaw.

Special Cable Despatch to THE SUN.

VIENNA, Nov. 14.—A despatch from Lemberg says that Henryk Sienkiewicz, the novelist, author of "Quo Vadis," was shot while shooting pheasants to-day.

The shooting was done by another of the party who aimed at a pheasant. Some of the shot lodged in the novelist's forehead near the left eye and his knee also was injured.

He is now in a hospital at Warsaw.

WOMEN VOTE AND ENJOY IT.

Go Early and Make a Good Show in Their First California Elections.

SAN FRANCISCO, Nov. 14.—Women voted to-day for the first time in California at special elections held in Stockton and San Diego.

In Stockton the City Council referred to the voters a proposition in regard to the construction of city conduits for an electric system, while in San Diego the question submitted was the bonding of the city for a million dollars for harbor improvements.

Although the vote was light in both elections the percentage of women voting was surprisingly large. In both cities they were at the polls early and seemed to enjoy the exercise of their new privilege.

A partial count of the votes in San Diego indicates that the bonds have won.

BOTTOM PLATE FOLDED UP.

Strongest Proof Yet of External Explosion Destroying the Maine.

Special Cable Despatch to THE SUN.
HAVANA, Nov. 14.—The outside bottom plate of the Maine at about frame 28 on the port side has been found to have been blown up and folded upward and over toward the keel, overlaying the inner bottom, where the six inch magazine rested. This would seem to afford the strongest evidence of an external explosion.

At a point about a hundred feet aft of the bow another body was recovered in the boiler room. It is that of a man about 6 feet 3 inches tall.

MAY INDICT COTTON BEARS.

U. S. Court Orders Grand Jury to Investigate Low Prices.

SAVANNAH, Nov. 14.—Judge Emory Spear in his charge to the United States Grand Jury to-day featured the present low price of cotton and the probable forces that are holding the price down.

He read an interview with the Attorney-General of the United States touching on the probable prosecution by the Government of cotton bears and charged that it could be the duty of the grand jury to investigate such conditions, if any existed in the Southern District of Georgia, and frame their bills accordingly.

He charged that it would not be necessary to wait indictments from the Attorney-General before the Grand Jury could proceed in this district.

OVERTAKEN MRS. RUSSELL SAGE

Doubling Her Personal Tax Assessment Results in Halving It.

The Tax Commissioners have had to reduce the assessment on the personal property of Mrs. Russell Sage from \$10,000.00 to \$2,500.00. Last year Mrs. Sage paid taxes on \$5,000.00. Robert W. de Forest, representing Mrs. Sage, showed the Tax Commissioners yesterday that the original assessment for this year included securities which had been registered with the State Comptroller under the new secured debt act and that these securities were exempt from further tax. It was recalled yesterday that Mrs. Sage's representative was second in line on the first day that the State Comptroller registered securities.

Levi P. Morton swore off his assessment of \$20,000, submitting an affidavit that he had become a resident of Washington on April 11.

COUNTRESS AND BABY HELD.

Immigration Officials Refuse Admission Till Child's Identity Is Established.

SAN FRANCISCO, Nov. 14.—Countess Margaret de Rougemont of France, who arrived on the steamer Mariposa from Tahiti this morning, was subjected to what she called "too great a search" when informed by the immigration service that she would have to be taken to Angel Island and there detained until the identity of a two-months-old baby she brought with her is established by a special board.

The Countess came with thirty-five trunks and three servants, bound for New York and Paris. She says the child is the child of a French naval officer, and that she is taking the little one to his father's people in Paris.

The Countess de Rougemont was formerly the wife of H. W. Ehlers of this city, but she lost her American citizenship when she divorced him.

The law provides that alien minors, unaccompanied by parents, cannot be admitted, so the Countess and the baby are waiting on Angel Island.

JAMES A. MCCREA, G. M.

President Peters of the Long Island Railroad Relieved of Part of His Work.

James A. McCrea, son of President James McCrea of the Pennsylvania Railroad, has been appointed general manager of the Long Island Railroad. This is an office which Ralph Peters, president of the Long Island, has held for a number of years in connection with the presidency. The directors made the change at his request. The duties of the two offices have increased recently and it seemed well, so it was said last night, to divide them between two officials.

Mr. McCrea came to the Long Island as general superintendent about five years ago from a superintendency on the Pennsylvania lines west of Pittsburgh. Since the construction of the Pennsylvania station office has been there. He is succeeded there by Henry W. Thornton, who has been for nine months assistant general superintendent of the Long Island.

FLORIDA-ATLANTA-SOUTH

Florida-South Special 12:30 noon. Atlanta-Florida-South Special 2:00 P. M. Fast Mail 12:30 night. Through electric lighted steel trains from Penn. Sta. Seaboard Air Line, 1:00 P. M.—Ad.

SPENCER'S LOOT ACCUSES HIM

INDIAN BEAD BELT STOLEN FROM HOUSE OF MURDER.

"Gentleman Burglar," Accused of Killing Woman, Cries Out From Cage in Court to Contradict Prosecutor—State's Story of Jekyll and Hyde.

SPRINGFIELD, Mass., Nov. 14.—An Indian bead belt and a monogrammed locket are two of the most valued exhibits that the Commonwealth has against Bertram G. Spencer, the soft spoken young man who has been called the gentleman burglar and whose trial for the murder of a Springfield school teacher began to-day.

The belt was identified as the property of the girl friend at whose house Martha Blackstone, the young woman who was killed, was piecing together a picture puzzle in the evening of March 31, 1910, when the man who shot her came into the room.

It was found later in the house where Bertram lived with his wife and baby. The locket turned up after the murder. Private detectives got it from a man whose house was one of the many that had been entered in the two years that preceded the killing, where it is alleged that Spencer lost it. On it were the initials "B. G. S." and inside were pictures of Mrs. Spencer and her child.

There was only one man in the city directory with these initials. He was the man who to-day fingered the grating of the cage in which he sat with his turkeys and twice broke into the opening address of District Attorney Christopher T. Callahan. His interruptions were the sort that indicated extreme nervous tension.

The first outburst came when Mr. Callahan was reviewing the events upon which the Commonwealth bases its case. When the name of Miss Blackstone was mentioned for the first time and the jury was told that the tall young man stirring constantly in his chair was held responsible for her murder he cried out, "No, no, my God, no, no!"

Again when it was related that as Miss Harriet Dow, the girl friend who was seriously wounded, started to run out of the room, Spencer had said, "Well, if you want to die, then die," the prisoner exclaimed brokenly, "No, I never said that."

The District Attorney stopped when the second break came and after looking at Spencer and at the indicted man's wife, who was patting his hand through the grating, Mr. Callahan asked, "Isn't this a little premature?" When he had finished his opening the duty of the grand jury to investigate such conditions, if any existed in the Southern District of Georgia, and frame their bills accordingly.